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HOUSE BILL 2427

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State of Washington                      56th Legislature                      2000 Regular Session

By Representatives Barlean, Anderson, Wensman, Koster, Schoesler and Ericksen

Read first time 01/12/2000. Referred to Committee on Capital Budget.

1            AN ACT Relating to the transfer of state trust lands; and amending  
2 1999 c 379 s 384 (uncodified).

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** 1999 c 379 s 384 (uncodified) is amended to read as  
5 follows:

6 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

7            Trust Land Transfer (00-2-001)

8            The state building construction account appropriation in this  
9 section is subject to the following conditions and limitations:

10            (1) The total appropriation is provided to the department solely to  
11 transfer from trust status or enter into thirty-year timber harvest  
12 restrictive easements for certain trust lands of state-wide  
13 significance deemed appropriate for state park, fish and wildlife  
14 habitat, natural area preserve, natural resources conservation area,  
15 open space, or recreation purposes.

16            (2) Property transferred under this section shall be appraised and  
17 transferred at fair market value. The value of the timber transferred  
18 shall be deposited by the department to the common school construction  
19 account in the same manner as timber revenues from other common school

1 trust lands. No deduction shall be made for the resource management  
2 cost account under RCW 79.64.040. The value of the land transferred  
3 shall be deposited in the natural resources real property replacement  
4 account. These funds shall be expended by the department for the  
5 exclusive purpose of acquiring real property of equal value to be  
6 managed as common school trust land.

7 (3) Property subject to easement agreements under this section  
8 shall be appraised at fair market value both with and without the  
9 imposition of the easement. The entire difference in appraised value  
10 shall be deposited by the department to the common school construction  
11 fund in the same manner as lease revenues from other common school  
12 trust lands. No deduction shall be made for the resource management  
13 cost account under RCW 79.64.040.

14 (4) All reasonable costs incurred by the department to implement  
15 this section are authorized to be paid out of this appropriation.  
16 Authorized costs include the actual cost of appraisals, staff time,  
17 environmental reviews, surveys, and other similar costs.

18 (5) Intergrant exchanges between common school and other trust  
19 lands of equal value may occur if the exchange is in the interest of  
20 each trust, as determined by the board of natural resources.

21 (6) Prior to or concurrent with conveyance of these properties, the  
22 department, with full cooperation of the receiving agencies, shall  
23 execute and record a real property instrument that dedicates the  
24 transferred properties to the purposes identified in subsection (1) of  
25 this section for a minimum period of thirty years. The department of  
26 natural resources, in consultation with the receiving state agencies,  
27 shall develop policy to address requests to replace transferred  
28 properties subject to the recorded property instrument that are no  
29 longer deemed appropriate for the purposes identified in subsection (1)  
30 of this section.

31 (7) The department and receiving agencies shall work in good faith  
32 to carry out the intent of this section. However, the department or  
33 receiving agencies may remove a property from the transfer list in  
34 subsection (8) of this section if, based on new, substantive  
35 information, it is determined that transfer of the property is not in  
36 the state-wide interest of either the common school trust or the  
37 receiving agency.

38 (8) The appropriation in this section is provided to execute  
39 transfers or easements for the list of properties identified in LEAP

1 capital document No. 99-3, as developed on April 8, 1999, as follows:  
 2 Projects in category A shall be transferred; to the extent that local  
 3 funding is provided for the land value of the property, projects in  
 4 category B shall be transferred; ((and)) projects in category C and  
 5 remaining projects in category B may be transferred or leased as  
 6 funding allows; and for the property identified in subsection (10) of  
 7 this section.

8 (9) The department shall execute trust land transfers and easements  
 9 for the properties identified in LEAP capital document No. 99-3 such  
 10 that 90 percent of the appropriation in this section is deposited in  
 11 the common school construction fund. To achieve the 90:10 ratio, the  
 12 department may offset transfers of property with low timber-to-land  
 13 ratios with easements on other properties.

14 (10) Goss lake, approximately 600 acres in Island county, is  
 15 transferred to Island county for open space and recreation purposes.

16 (11) On June 30, 2001, the state treasurer shall transfer all  
 17 remaining uncommitted funds from this appropriation to the common  
 18 school construction fund and the appropriation in this section shall be  
 19 reduced by an equivalent amount.

20 Appropriation:

21	Natural Resources Real Property Replacement--	
22	State . . . . .	\$ 6,200,000
23	State Building Construction Account--State . . .	\$ 66,000,000
24		-----
25	Subtotal Appropriation . . . . .	\$ 72,200,000
26	Prior Biennia (Expenditures) . . . . .	\$ 34,500,000
27	Future Biennia (Projected Costs) . . . . .	\$ 220,000,000
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29	TOTAL . . . . .	\$ 326,700,000

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